

MINUTES

EAU CLAIRE CITY COUNCIL LEGISLATIVE MEETING

Tuesday, October 24, 2017

City Council Chamber

4:00 p.m.

PLEDGE OF ALLEGIANCE AND ROLL CALL

Council President Kincaid called the meeting to order. The following members were present: Council Members Kate Beaton, Catherine Emmanuelle, Kerry Kincaid, David Klinkhammer, Kathy Mitchell, David Strobel, Tim Tewalt, Bob Von Haden, Terry Weld, Andrew Werthmann, and Michael Xiong.

CONSENT AGENDA

The Council considered a resolution adopting the Consent Agenda for the following items of routine business on Tuesday, October 24, 2017:

- Adopting the Consent Agenda.
- Approving the Minutes of the October 10, 2017 Council Legislative Session.
- Granting new bartender licenses.
- Granting a Temporary Class B Fermented Malt Beverage license to St. Olaf Parish, Father Paul E. Hoffman, Pastor, on November 3 and December 1, 2017, and January 12 and 26, 2018, at 3220 Monroe Street, for St. Olaf Men's Club Fish Fry Dinners.
- Granting a Temporary Class B Fermented Malt Beverage license to Sacred Heart of Jesus-St. Patrick Parish, Rev. George Thayilkuzhithottu, President, on November 5, 2017, in the basement tunnel room, 418 N. Dewey Street for a Sacred Heart/St. Patrick's Fall Bazaar.
- Granting a Change of Agent for the "Class A" Intoxicating Liquor (Cider only) & Class "A" Fermented Malt Beverage license of Cenergy, LLC, d/b/a Mega Holiday #3710, 4304 Jeffers Road, from Jeremy R. Dickinson to Bethany Stovall.
- Granting a Change of Agent for the "Class A" Intoxicating Liquor (Cider only) & Class "A" Fermented Malt Beverage license of Cenergy, LLC, d/b/a Mega Holiday #3706, 2920 Craig Road, from Kristel M. Flick to Bethany Stovall.
- Granting a Change of Agent for the "Class A" Intoxicating Liquor (Cider only) & Class "A" Fermented Malt Beverage license of Cenergy, LLC, d/b/a Mega Holiday #3713, 3702 Gateway Drive, from Susan M. Goettl to Angelica Heitzig.
- Certifying the Semi-Annual Report for the EDA-funded Revolving Loan Fund.
- Declaring the City's intention to levy special assessments for public improvements in accordance with Section 66.0703, Wisconsin Statutes, for street, utility, and sidewalk improvements, and directing the City Clerk to give notice of a hearing scheduled for November 13, 2017, on the following streets:
 - 12th Street, 100 feet south of Hawthorne Street to Locust Street (17-122);
 - Old Town Hall Road, Lorch Avenue to 2,300 feet NE (17-115);
 - Lorch Avenue, STH 93 to 650 feet east (17-114); and
 - Friedeck Road, Lorch Avenue to 600 feet south (17-113).

Thereupon a motion was offered by Council Member Werthmann and seconded by Council Member Xiong "to adopt the consent resolution." Said motion passed by unanimous vote.

SPECIAL EVENTS

The City Council considered a resolution authorizing Downtown Eau Claire, Inc. to conduct Christmastime in the City on Saturday, December 2, 2017, on Eau Claire Street between S. Barstow Street and S. Farwell Street. Thereupon a motion was offered by Council Member Strobel and seconded by Council Member Mitchell “to adopt the resolution.” Said motion passed by unanimous vote.

APPOINTMENTS

The City Council considered a resolution appointing the City of Eau Claire voting delegate for the 2017 National League of Cities Conference. Thereupon a motion was offered by Council Member Von Haden and seconded by Council Member Klinkhammer “to adopt the resolution.” Said motion passed by unanimous vote.

BUDGET APPROPRIATIONS

The City Council considered a resolution authorizing budget appropriations for Fiscal Year 2017. Thereupon a motion was offered by Council Member Weld and seconded by Council Member Tewalt “to adopt the resolution.” Said motion passed by unanimous vote.

PROPERTY TRANSACTIONS

The City Council considered a resolution accepting the conveyance of a permanent utility easement at 97 W. Madison Street (Parcel 09-0390-A). Thereupon a motion was offered by Council Member Beaton and seconded by Council Member Emmanuelle “to adopt the resolution.” Said motion passed by unanimous vote.

AGREEMENTS

The City Council considered a resolution approving the 2017 Federal Mass Urban Transit Operating Assistance Agreement with the Federal Transit Administration. Thereupon a motion was offered by Council Member Werthmann and seconded by Council Member Xiong “to adopt the resolution.” Said motion passed by unanimous vote.

The City Council considered a resolution approving an option to purchase Lot 26 in Sky Park to Acre Three, LLC. Thereupon a motion was offered by Council Member Strobel and seconded by Council Member Mitchell “to adopt the resolution.” Said motion passed by unanimous vote.

COUNCIL MEETING DECORUM

The City Council considered a resolution acknowledging Council meeting decorum regarding access to the Council dais and to consider permitting infants and toddlers on the Council dais during Council meetings. Council President Kincaid and Council Member Emmanuelle provided brief presentations.

Thereupon a motion was offered by Council Member Von Haden and seconded by Council Member Klinkhammer “to adopt the resolution.”

Thereupon a motion was offered by Council Member Werthmann and seconded by Council Member Emmanuelle “to indefinitely postpone.” Said motion failed by the following vote:

Aye: Council Members Beaton, Emmanuelle, Tewalt, Werthmann and Xiong.

Nay: Council Members Kincaid, Klinkhammer, Mitchell, Strobel, Von Haden and Weld.

Thereupon a motion was offered by Council Member Mitchell and seconded by Council Member Klinkhammer “to amend the resolution” by striking the last THEREFORE clause which is as follows:

“THEREFORE, BE IT FURTHER RESOLVED by the City Council of the City of Eau Claire that a limited exception to Council meeting protocol and standing rules of decorum is hereby granted permitting Council Members to have their infant(s)/toddler(s) with them on the dais during Council proceedings, on the condition the child does not distract from the decorum and conduct of the business of the City Council and on such further conditions as may be established by the City Council.”

Said motion to amend passed by the following vote: Aye: Council Members Kincaid, Klinkhammer, Mitchell, Strobel, Tewalt and Von Haden. Nay: Council Members Beaton, Emmanuelle, Weld, Werthmann and Xiong.

Thereupon a motion was offered by Council Member Emmanuelle and seconded by Council Member Beaton “to amend the resolution” by amending the first WHEREAS clause and replacing the remainder of the resolution. Council President Kincaid suggested changing it to a “motion to substitute,” which was approved by Council Members Emmanuelle and Beaton. Said motion to substitute failed by the following vote: Aye: Council Members Beaton, Emmanuelle and Werthmann. Nay: Council Members Kincaid, Klinkhammer, Mitchell, Strobel, Tewalt, Von Haden, Weld and Xiong.

Thereupon a vote was taken “to adopt the resolution as amended.” Said motion passed by the following vote: Aye: Council Members Kincaid, Klinkhammer, Mitchell, Strobel, Tewalt, Von Haden and Weld. Nay: Council Member Xiong. Abstained: Council Members Beaton, Emmanuelle and Werthmann.

Council Members Beaton and Von Haden left Council Chambers.

DECEMBER CITY COUNCIL MEETINGS

The City Council considered a resolution canceling the City Council meetings scheduled for December 25 and 26, 2017. Thereupon a motion was offered by Council Member Weld and seconded by Council Member Tewart "to adopt the resolution." Said motion passed by unanimous vote.

ANNEXATION

The Council considered an ordinance in accordance with Section 66.0217 Wisconsin Statutes, annexing to the City of Eau Claire and particularly to the 6th Assessment Ward, 4th Aldermanic District, Lot 19 of Block 5 O'Driscoll's Addition and a portion of Sherman Creek Road R/W as dedicated by O'Driscoll's Addition lying east of and adjacent to Lot 19 of Block 5 of O'Driscoll's Addition all located in the SE-NW of Section 24, T27N, R10W, Town of Union, Eau Claire County, as shown on Planning Drawing No. 17-6A (Horn Petition). Thereupon a motion was offered by Council Member Emmanuelle and seconded by Council Member Werthmann "to adopt the ordinance." Said motion passed by unanimous vote.

ANNEXATION

The City Council had first reading on an ordinance in accordance with Section 66.0217 Wisconsin Statutes, annexing to the City of Eau Claire and particularly to the 15th Assessment Ward, 3rd Aldermanic District, that part of Lot 1 of Certified Survey Map #388 and part of Certified Survey Map #413 all located in the SE ¼ of Section 31-27-9, Town of Washington, Eau Claire County, as shown on Planning Drawing No. 17-4A (Grover Road LLC Petition).

PAY PLAN AND PRACTICES

The City Council had first reading on an ordinance amending the City of Eau Claire Pay Plan and Practices.

BENEFITS AND LEAVES PLAN

The City Council had first reading on an ordinance amending the City of Eau Claire Employee Benefits and Leaves Plan.

ADJOURNMENT

A motion was offered by Council Member Mitchell and seconded by Council Member Strobel "that this meeting does now adjourn without objection." Said motion passed by unanimous consent.

Adjournment: October 24, 2017

Time: 6:40 p.m.

ATTEST:

/s/ Kerry J. S. Kincaid, President

/s/ Carrie L. Riepl, City Clerk